



# LEGALLY SPEAKING

The Stark County Law Library Association Newsletter

December 2002

Volume 23 Issue 11

Canton, Ohio

## Overview of Youth Courts

The ABA recently published *Youth Courts: Young People Delivering Justice*, by Margaret Fisher, KF9794 .F57 2002. This title provides information on the structure and benefits of youth courts, also known as teen courts and peer juries, which use volunteers from the ages of eight to eighteen to sentence their peers for such offenses as traffic infractions, school rule violations and criminal acts. There is also information online about youth courts at: <http://www.youthcourt.net/>.



## New Whiplash Book

Looking for information about head and neck injuries? The library has just received *Medical Proof of Whiplash*, by Michael R. Melton, KF8925 .P4 M45, which includes a variety of medical and engineering studies, explanatory text, and illustrations. The book contains chapters on "Biomechanics," "Symptoms," "Prognosis," and "Controversies," and devotes an entire section to low velocity cases.

Come in and check out our new display on Computer & Telecommunications Law!

## Receive News of New Online CLE Programs

Register with West Legal Edcenter <[http://westlegaledcenter.com/optin/reg\\_practice.jsp?null](http://westlegaledcenter.com/optin/reg_practice.jsp?null)> for monthly email notices about new online CLE programs in your practice area and jurisdiction.

Ohio's Position on West's CLE's:

- On-Demand Programs: Up to 6 self-study credits may be satisfied with on-demand audio or video programs.
- Live Webcast Programs: Currently: Ohio self-study credits **may not be satisfied with live Webcasts**.
- Attendance Reporting: West LegalEdcenter reports attorney attendance to the Ohio State Bar each month. Before beginning a program, you will be prompted to indicate the state(s) in which you are seeking credit. You must include Ohio as one of your states in order to be included on the attendance report that is provided to the Ohio State Bar.

West LegalEdcenter currently has more than 400 courses, with more added daily! <sup>1</sup>

## Congratulations to the Area's Newest Members of the Ohio State Bar!

From **Stark County**:

Christine Bates, Michael Bickis, Erin Cardinal, Vicki DeSantis, Kara Dodson, Faith Dylewski, Daniel Griffith, Jason Haupt, Scott Junod, Monica Kramer, Wesley Meinerding, Carl Morgan, W. Oelslager, James Phillips, Donald Robbins, Natalie Rogal, Mark Scarpitti, Heather Smith, Todd Snitchler, Theologos Verginis, and Saber Williams.

From **Summit County**:

Stephen Anway, Randi Barnabee, Matthew Carty, Jamie Chancey, John Chapman, Maria Chin, Leza Cole, Larry Coleman, Todd Cornell, Walter Crooks, Christina



**Legally Speaking**  
is published by  
**The Stark County Law  
Library Association**

110 Central Plaza South  
Suite 401  
Canton, OH 44702

Phone (330) 451-7380  
FAX (330) 451-7381  
[director@starklawlibrary.org](mailto:director@starklawlibrary.org)  
<http://www.starklawlibrary.org>

Dattilo, Duriya Dhinojwala, Theresa Dirksen, Joseph Ezzie, Michael Flannery, Stephen Franks, Jennifer Harris, Joan Hauenstein, Andrew Hayes, Kristi Hilbish, Christine Hill, Melissa Jones, Kerri Keller, Eric Kohut, Marie Kondik, Leah Kramer, Michelle Krockner, John Leach, Faye Locke, Gregory Lucht, Khara Mack, Tracy McLean, Matthew Meyer, Lucy Miller, Sean Moore, Steven Mutersbaugh, Jennifer Oettinger, Jon Oldham, Megan Peirce, Paul Peterson, John Ragner, Owen Rarric, Caroline Regallis, Kerry Renker, Christopher Reuscher, Laryn Runco, James Russell, Julie Schafer, Kyle Scheatzle, Amanda Teuscher, Ben Thalrose, Jason Wells, Gregory Wysin, and Matthew Young.



### New Nutshells

The library recently received new editions of the following titles in the West nutshell series:

*Uniform Commercial Code*, 5<sup>th</sup> ed., by Bradford Stone, KF889.3 .S68 2002

*Children and the Law*, by Sarah H. Ramsey, KF479 .Z9 R36 2001

*Bankruptcy and Related Law*, 6<sup>th</sup> ed., David G. Epstein, KF1524.5 .E67 2002

*Section 1983 Litigation* 2<sup>nd</sup> ed., by Michael Collins, KF1325 .C58 C65 2001

*Pretrial Litigation*, 3<sup>rd</sup> ed., by Lawrence Dessem, KF8900 .D49 2001

*Trial and Practice Skills in a Nutshell*, by Kenney Hegland, KF8915 .Z9

### CCH Online Service Added

The Pension Plan Guide and Employee Benefits Management Guide are now accessible online at the law library. In addition to the information found in the print volumes, the online service offers the Internal Revenue Code, DOL Opinion Letters, ERISA Regulations, and model employee sample documents (such as cafeteria plans). This service is available on the "Brennan" computer in the library's computer room. To log on to the service, click on the CCH icon on the desktop.

Just a reminder that the library also provides access to CCH's Human Resources Management Research database, which contains OSHA compliance information, state and federal laws and regulations, explanations of personnel practices, and a forms section.

### "Got a Question? Ask the Librarian"

A recent article points out that, library reference desks have long been the best and last hope for desperate people, and despite the easier access to information on the Internet, calls to librarians have not diminished. Reference librarian Joe Schallan adds, "People still see us as a way to guide them to information, wherever it is, and there's a growing realization that not everything is on the Internet and, more important, that it may not be trustworthy."<sup>2</sup>

### "Good Fee Agreements Make Good Clients"

Doug Salvensen states that "Napoleon once observed that he spent 10% of his time fighting his enemies and 90% fighting with his allies. Lawyers should carefully manage the relationships with their clients to avoid such battles."

"The simplest way of controlling the client's expectations is to provide the client with a written fee agreement that sets forth the relevant terms of the representation in plain English."

The fee agreement should: identify the client, state the scope of representation, clearly spell out the hourly rates including referral fees, explain what out-of-pocket and other costs will be passed through to the client, explain any retainer fees, how the client will be billed, when the attorney-client relationship will be terminated, and how any fee disputes will be handled.<sup>3</sup>

### Welcome! To Our Newest Members

Mr. Jason N. Bing  
Mr. Carl A. Morgan

*Have you applied for membership?*

Complete a membership application at the law library. Or call, we'll FAX or email you one. Your first year of membership is free!

### Footnotes

<sup>1</sup> "You can earn MCLE credits online!" West LegalEd center. © 2002. West Group. <<http://westlegaledcenter.com/home/home.jsp?page=home>>

<sup>2</sup> Price, Gary. The Virtual Acquisition Shelf & News Desk. 10 Nov. 2002. Gary Price Library & Internet Research Consulting. <<http://resourceshelf.freepint.com/>>

<sup>3</sup> Doug Salvensen, Esq., Yurko & Salvensen, P.C. "Good Fee Agreements Make Good Clients." Modern Practice. November 2002. 22 Nov 2002. <<http://practice.findlaw.com/feature-1102.html>>

**All of the following cited publications are available in print at the law library.**



**THE AFTERMATH OF SEPTEMBER 11**

*"Here, There, and Everywhere: Assessing the Proportionality Doctrine and U.S. Uses of Force in Response to Terrorism After the September 11 Attacks."* 99 Cornell Law Review 155.

*"Sept. 11 and ADR: Meeting the Challenge."* Dispute Resolution Magazine, Spring 2002, at 3.

*"Symposium: Cities on the Front Line: The Aftermath of September 11."* 34 Urban Lawyer (entire issue).

**DISPUTE RESOLUTION**

*"Using Mediation to Enhance the Practice of Law."* Ohio Lawyer, November/December 2002, at 12.

*"The Vanishing Trial."* ABA Journal, October 2002, at 24.

**THE ENVIRONMENT**

*"Environmental Crimes, Prosecutorial Discretion, and the Civil/Criminal Line."* 88 Virginia Law Review 1387

*"It Can Get Murky: Our Mini-Theme on Environmental Law."* Business Law Today, November/December 2002, at 11.

**THE INTERNET AND LAW**

*"Helping Protect Computer Networks from the Inside: Education as a Security Tool."* Journal of Internet Law, October 2002, at 8.

*"A New & Improved Probate Court Web Page."* The Stark County Bar Journal, November 2002, at 10

*"Rules and Standards for Cyberspace."* 77 Notre Dame Law Review 1275

*"What the Web Can Do For You?"* Law Practice Management, November/December 2002, (entire issue)

**FOR JUDGES**

*"Men and Women in Black."* Ohio Lawyer, November/December 2002, at 2.

*"The Supreme Court 2001 Term: Forward: A Judge on Judging: The Role of a Supreme Court in a Democracy."* 116 Harvard Law Review 19.

**ODDS & ENDS**

*"Hedonic Product Liability: Will Alcohol Follow the Tobacco Road?"* The Brief, Fall 2002, at 12.

*"International Legal Developments in Review: 2001."* 36 The International Lawyer (entire issue)

*"Simplified Rules of Federal Procedure?"* 100 Michigan Law Review 1794.

*"So Young and So Untender": Remorseless Children and the Expectations of the Law.* 102 Columbia Law Review 1469.

*"Unwarranted Assumptions in the Prosecution and Defense of Hate Crimes."* Criminal Justice, Fall 2002, at 4.

*"Whose Ball Is It Anyway: When Barry Bonds Hit His Historic 73rd Home Run of the Season, the Subsequent Melee in the Stands Led to a Million-Dollar Lawsuit."* Entertainment and Sports Lawyer, Fall 2002, at 1.

*"Wrongful Convictions of the Innocent."* 86 Judicature (entire issue)

**PROFESSIONALISM**

*"How to be Persuasive in Your Communications."* Cleveland Bar Journal, November 2002, at 16

*"Legal Writing: Speaking Like a Professional is Just as Important as Writing Like One."* Student Lawyer, November 2002, at 10.

*"Sex with a Client: Always a Violation?"* GPSOLO, October/November 2002, at 36.

**TAX LAW**

*"100 Million Unnecessary Returns: A Fresh Start for the U.S. Tax System."* 112 The Yale Law Journal 261

*"Prop. Regs. on Split-Dollar Impose Tax on Shifts of Wealth."* 29 Estate Planning 547.



## LOG ON TO OUR CATALOG 24/7

### Stark County Law Library Association

110 Central Plaza South, Suite 401  
Canton, OH 44702  
(Located in the Stark County Office  
Building, Fourth Floor )

Ph (330) 451-7380  
FAX (330) 451-7381

Hours: Mon-Fri, 8:30am-4:30pm

### Board of Trustees

John H. Brannen, President	Thomas Connors
Evan W. Morris, Vice-pres.	Hon. Sheila Farmer
John R. Frank, Sec./Treas.	Sam O. Simmerman
	William G. Williams

### Law Library Staff

Kendel Croston, Director  
Carol Hinkel, Paraprofessional Librarian  
Roberta Ponting, Bookkeeper  
Pam Frame, Library Assistant  
Sue Bednar, Clerk  
Ida Pedrotty, File Clerk  
Nancy Stinson, Publications Assistant

1. Open the telnet software on your computer (for example: HyperTerminal)
2. Enter a name for the connection (for example: Stark County Law Library)
3. In the host address line, enter: sirsi.starklawlibrary.org
4. In the "connect using" box, choose TCP/IP
5. At the login prompt type "public" and at the password prompt type "public"
6. The program will then load, and this may take 1-2 minutes
7. Choose 1) Library Catalog
8. Follow the on-screen instructions to search for books by author, title or subject
9. To exit, choose "end" and "yes" to end the workstation session

**Membership and Fees:** Membership is open to those who have passed the Ohio State Bar Examination.

Membership is complimentary for 1st year  
\$15 for the 2nd - 49th year  
and complimentary for 50th+ year.

Membership checks must be separate from other payments, please.

**Circulation:** Most print materials can be checked out by members for two weeks. Some items may be taken out overnight only. You may renew items by phone.

**Online Databases Available to members:** Internet (including email), WestLaw, LEXIS-NEXIS, OPEN, PubMed, First Search, BNA Employment Law Library, and CCH Human Resources. Technical support from the staff is available. Charges vary.

**Photocopies:** \$ .15 each, self-service. Vending cards may be purchased in any amount. Microfiche/film copies are also \$ .15 each. Printing from computers is \$ .15 per page.

**FAX** services for members: Send a fax for \$ .25 per page within our local calling area, \$ .50 outside. Receive free of charge.

**Reference** services for members by phone, fax and email are available.

**Inter-library Loan** services for members are available. Charges vary.

**Free Training for members** on any electronic service.

Ph (330) 451-7380  
FAX (330) 451-7381

Stark County Law Library Association  
110 Central Plaza South, Suite 401  
Canton, OH 44702

## LEGALLY SPEAKING



NONPROFIT ORG  
U.S. POSTAGE  
**PAID**  
PERMIT NO. 669  
CANTON, OHIO